

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Civ. No.: 07 CV 10959
INDUSTRIAL WINDOW CORP.,

Plaintiff,

**ANSWER TO THIRD-PARTY
COMPLAINT**

-against-

FEDERAL INSURANCE COMPANY,

Defendant.

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FEDERAL INSURANCE COMPANY,

Third-Party Plaintiff,

-against-

BEYS GENERAL CONSTRUCTION CORP.,

Third-Party Defendant.

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Third-Party Defendant, Beys General Construction Corp. ("Beys"), by its attorneys, Milber Makris Plousadis & Seiden, LLP, as and for its Answer to the Third-Party Complaint, alleges the following upon information and belief:

1. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "1" of the Third-Party Complaint.
2. Admits the allegations contained in paragraph "2" of the Third-Party Complaint.
3. Admits the allegations contained in paragraph "3" of the Third-Party Complaint.
4. Admits the allegations contained in paragraph "4" of the Third-Party Complaint.
5. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "5" of the Complaint.
6. Admits the allegations contained in paragraph "6" of the Third-Party Complaint.

7. Admits the allegations contained in paragraph “7” of the Third-Party Complaint.
8. Admits the allegations contained in paragraph “8” of the Third-Party Complaint.
9. Admits the allegations contained in paragraph “9” of the Third-Party Complaint.
10. Admits the allegations contained in paragraph “10” of the Third-Party Complaint.
11. Admits in response to Paragraph “11” of the Third-Party Complaint that Beys entered into a subcontract agreement with Industrial Window Corp. (“IWC”) and begs leave to refer to that subcontract for the true content and meaning thereof.
12. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “12” of the Complaint.

AS AND FOR A RESPONSE TO THE FIRST CLAIM

13. Third-Party Defendant repeats and realleges each response to the allegations contained in paragraphs “1” through “12” of the Third-Party Complaint, as if fully set forth at length herein.

14. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “14” of the Third-Party Complaint.

15. Admits the allegations contained in paragraph “15” of the Third-Party Complaint.

AS AND FOR A RESPONSE TO THE SECOND CLAIM

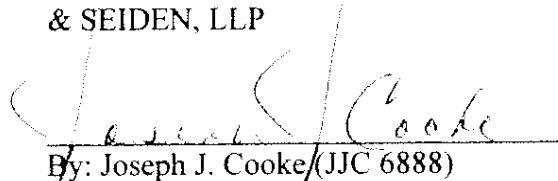
16. Third-Party Defendant repeats and realleges each response to the allegations contained in paragraphs “1” through “15” of the Third-Party Complaint, as if fully set forth at length herein.

17. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “17” of the Third-Party Complaint.

18. Admits the allegations contained in paragraph “18” of the Complaint.

Dated: Woodbury, New York
June 11, 2008

MILBER MAKRIS PLOUSADIS
& SEIDEN, LLP

A handwritten signature in dark ink, appearing to read "Joseph J. Cooke", is written over a horizontal line.

By: Joseph J. Cooke/(JJC 6888)
Attorneys for Third-Party Defendant
Beys General Construction Corp.
1000 Woodbury Road, Suite 402
Woodbury, New York 11797
(516) 712-4000
File No.: 0407-0002

